

Docket No.: 59380-049 (MCMK-003)

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name,

I believe I am an original, first and joint inventor of the subject matter claimed and for which a patent is sought on the invention entitled **PRE-FORMATTED LINEAR OPTICAL DATA STORAGE MEDIUM**, the specification of which

is attached hereto.

was filed on January 21, 2005 as United States Application Number 10/588,066.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56 including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's or plant breeder's right certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's, or plant breeder's rights certificate, or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications(s):

Number	Country
PCT/US05/01864	WO

Day/Month/Year filed
01/21/2005

Priority Claimed
X

I hereby claim the benefit under 35 United States Code, Section 119(e) of any United States provisional application(s) listed below.

Prior Provisional Application(s):

Application Number
60/537,847
60/538,120

Filing Date
01/21/2004
01/21/2004

I hereby claim the benefit under 35, United States Code, Section 120 of any United States application(s) or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35, United States Code, Section 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application: **BEST AVAILABLE COPY**

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Prior U.S. Application(s):
Serial No.

Filing Date

Status: Patented, Pending, Abandoned

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the registered practitioners of McDermott Will & Emery LLP, included in the Customer Number provided below, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

CUSTOMER NUMBER 23630

Send correspondence to the address associated with Customer Number 23630

McDERMOTT WILL & EMERY LLP
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Inventor's signature: W. Dennis Slafer

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Inventor's signature: M. White

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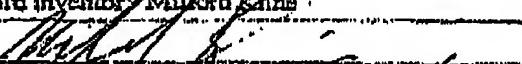
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Dec. 11 2006 03:24PM P1

Docket No.: 59380-049 (MCMK-003)

Full name of sole or third inventor: Milford Kime

Inventor's signature: 

Date: 12/11/06

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Full name of sole or fourth inventor: Timothy Frey

Inventor's signature: 

Date: 20 Dec 06

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Post Office Address: 01749 As Above

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